

**REMARKS**

Claims 1-3, 6, 10-28, 32-41, 45-55 and 58-59 are pending in this application.

**REJECTIONS UNDER 35 U.S.C. § 103**

Reconsideration is respectfully requested of the rejection of (1) claims 1-3, 6, 10-28 and 58-59 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent Application Pub. No. 2002/0003571 ("Schofield") in view of WO 02/073964 ("Wong"), and further in view of U.S. Patent No. 6,097,448 ("Perkins"); and (2) claims 32-41 and 45-55 under 35 U.S.C. § 103(a) as being unpatentable over Schofield in view of Wong, and further in view of U.S. Patent Application Pub. No. 2004/0094588 ("Klein").

**Claims 1 and 23**

Claims 1 and 23 recite, *inter alia*, a video display device mounted to/for mounting to a visor that includes at least one strap that passes through a groove formed by a front wall and a back wall of the video display device, wherein the front wall includes the screen, wherein top and bottom sides of the video display device connect the front and back walls to each other, and the top and bottom sides include respective holes therein for receiving the at least one strap therethrough, and wherein a portion of the at least one strap between opposing ends of the strap is located in an interior portion of the video display device in the groove between the front and back walls and the opposing ends of the at least one strap extend out of the groove through the respective holes formed in the top and bottom sides of the video display device to an exterior portion of the video display device.

Referring, for example, to Figs. 1 and 3C of Applicant's disclosure, the front

wall 11 includes the screen 40 of the video display device 10, and a portion of the at least one strap 15 between opposing ends of the strap 15 is located in an interior portion of the video display device 10 in the groove 17 between the front and back walls 11, 12 and the opposing ends of the at least one strap extend out of the groove 17 through the respective holes formed in the top and bottom sides of the video display device to an exterior portion of the video display device.

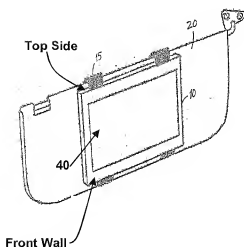


FIG. 1

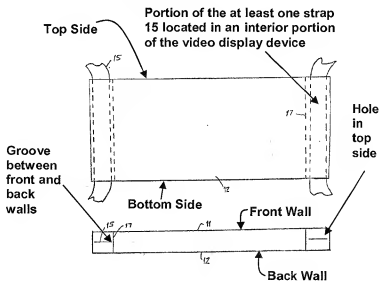
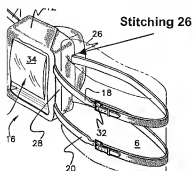


FIG. 3C

In rejecting claims 1 and 23, the Examiner maintains that Perkins, at Fig.1, elements 18 and 22, and col. 3, lines 42-46, teaches the top and bottom sides that include respective holes therein for receiving the at least one strap therethrough.

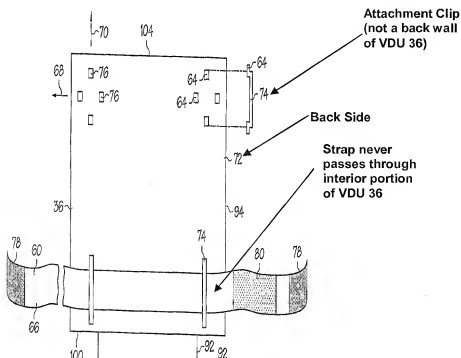
However, in contrast to the claimed embodiments, the cited portion of Perkins does not show a portion of a strap 18 between opposing ends of the strap located in an interior portion of the video display device in a groove between front and back walls of the video display device. Unlike the claimed embodiments, in Perkins, the straps 18 and 22 are **attached to only an outside of the harness 12 by stitching 26** (see Perkins, col. 3, lines 37-40), and are never located in an interior portion in a

groove between two walls of the video display device, or two walls of the harness 12.



Harness 12 preferably includes straps 18, 20, 22, 24 attached to harness 12 by stitching, as at 26 (this being typical for all straps 18, 20, 22, 24). Straps 18, 20, 22, 24 support harness 12 and the weight of CRT device 2 by 40

The Examiner also contends that Wong discloses a strap that passes through an interior portion of the video display device (referring to Fig. 5, elements 60, 74). However, in contrast to the claimed embodiments, element 74 in Wong is a **clip that is attached to a back wall 72 of a video display unit 36**. Unlike what is claimed, the strap 66 in Wong is not located in an **interior portion** of the video display unit 36 in a **groove between the front and back walls**, wherein the front wall includes the screen of the video display unit 36. Indeed, **there is no such groove in Wong between a front wall of the video display unit 36 having a screen and the back wall**.



Applicant submits that the Examiner's interpretations of the art and the claims in this case is manifestly unreasonable and constitutes clear error, the likes of which are highly unlikely to hold up on appeal.

Accordingly, for at least these reasons, Applicant respectfully submits that claims 1 and 23 are patentable over Schofield, when taken alone, or in combination with Wong and/or Perkins.

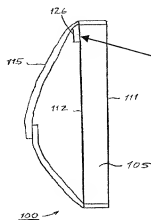
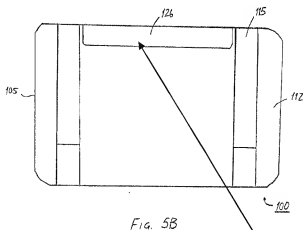
In addition, for at least the reason that claims 6, 10-22 and 58 depend from claim 1, and claims 24-28 and 59 depend from claim 23, claims 6, 10-22, 24-28 and 58-59 are also submitted to be patentable over the cited references.

Claim 32

Claim 32 recites, *inter alia*, that the membrane includes a flap that is opened to provide an opening between one of the top, bottom, left and right sides of the body portion and the membrane through which the video display device is placed in the structure, and wherein the flap wraps around part of the body portion to close the opening, wherein the flap is removably fastened to a back wall of the body portion to allow a user to open and close the flap, and when the flap is in a closed position and the structure is mounted in the interior portion of the vehicle, a leading end of the flap is positioned between the back wall of the body portion and a surface of the interior portion of the vehicle.

For example, Applicant's disclosure states that the membrane 125 includes a flap 126 which wraps around a top portion of the body portion 105 and adheres to a back side 112 of the body portion 105 to close the opening between the top side of the body portion 105 and the membrane 125. The flap adheres to the back side 112

with a fastening means capable of being opened and closed. See, e.g., Applicant's disclosure, ¶ 0043, and Figs. 5B-5E. Further, as can be understood from Figs. 5B and 5C, when the flap is in a closed position and the structure is mounted in the interior portion of the vehicle, a leading end of the flap 126 is positioned between the back side 112 of the body portion 105 and the surface of the portion of the vehicle (e.g., a visor) to which the structure is mounted.



Flap 126 rests against mounting surface, such as visor

In contrast to the claimed embodiment, Klein does not include the claimed leading end of the flap that is positioned between the back wall of the body portion and a surface of the interior portion of the vehicle when the flap is in a closed

position and the structure is mounted in the interior portion of the vehicle.

Furthermore, the flap configuration is not a mere design choice. For example, locating the flap between the back wall of the body portion and a surface of the interior portion of the vehicle to which is structure is mounted creates a more stable mounting configuration than if the flap were not between the body portion and the mounting surface. The flap configured as claimed is pressed on both sides thereof by the mounting surface and the body portion, respectively. Accordingly, due to the pressure on both sides, the flap is less prone to open or become dislodged from the closed position, whereas a flap that is not configured as claimed, can more easily become dislodged due to the motion of the vehicle or a bumpy road. As such, Applicant submits that the flap configured as claimed is not a mere design choice.

Accordingly, for at least these reasons, Applicant respectfully submits that claim 32 is patentable over Schofield, when taken alone, or in combination with Wong and/or Klein.

In addition, for at least the reason that claims 33-41 and 45-55 depend from claim 32, claims 33-41 and 45-55 are also submitted to be patentable over the cited references.

As such, in view of the foregoing, Applicant respectfully requests that the Examiner withdraw the rejections of claims 1-3, 6, 9-28, 32-41 and 45-55 under 35 U.S.C. § 103(a).

#### **DEPENDENT CLAIMS**

Applicant has not independently addressed the rejections of all the dependent claims because Applicant submits that, in view of the amendments to the claims

presented herein and, for at least similar reasons as why the independent claims from which the dependent claims depend are believed allowable as discussed, *supra*, the dependent claims are also allowable. Applicant however, reserves the right to address any individual rejections of the dependent claims should such be necessary or appropriate.

An early and favorable reconsideration is earnestly solicited. If the Examiner has any further questions or comments, the Examiner may telephone Applicant's Attorney to reach a prompt disposition of this application.

Respectfully submitted,

A handwritten signature in cursive script that reads "Michael F. Morano". The signature is written in dark ink and is positioned above a horizontal line.

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